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FORM

PAT-116 GWT

## DECLARATION AND POWER OF ATTORNEY

(continued)

## ADDITIONAL INVENTORS:

## (3) INVENTOR'S SIGNATURE:

Date: 10/22/2001

Bill	First	Middle Initial	Losie	Family Name
Residence	Santa Clara	California	United Kingdom	
	City	State/Foreign Country	Country of Citizenship	
Mailing Address (include Zip Code)	2672 Estella, Santa Clara, California 95051			

## (4) INVENTOR'S SIGNATURE:

Date:

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Residence				
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## (5) INVENTOR'S SIGNATURE:

Date:

	First	Middle Initial	Family Name	
Residence				
	City	State/Foreign Country	Country of Citizenship	
Mailing Address (include Zip Code)				

## (6) INVENTOR'S SIGNATURE:

Date:

	First	Middle Initial	Family Name	
Residence				
	City	State/Foreign Country	Country of Citizenship	
Mailing Address (include Zip Code)				

## (7) INVENTOR'S SIGNATURE:

Date:

	First	Middle Initial	Family Name	
Residence				
	City	State/Foreign Country	Country of Citizenship	
Mailing Address (include Zip Code)				

## (8) INVENTOR'S SIGNATURE:

Date:

	First	Middle Initial	Family Name	
Residence				
	City	State/Foreign Country	Country of Citizenship	
Mailing Address (include Zip Code)				

## (9) INVENTOR'S SIGNATURE:

Date:

	First	Middle Initial	Family Name	
Residence				
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Mailing Address (include Zip Code)				

**Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)**  
**PATENT AND TRADEMARK CASES - RULES OF PRACTICE**  
**DUTY OF DISCLOSURE**

- (a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) Information is material to patentability when it is not cumulative and (1) it also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

**PATENT LAWS 35 U.S.C.**

**§102. Conditions for patentability; novelty and loss of right to patent**

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

**§103. Condition for patentability; non-obvious subject matter**

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

\* Six months for Design Applications (35 U.S.C. 172).

Inventor(s): Greg Donnelly, Bill Leslie and Tim Ward  
Appln. No.: /New Application or Patent No.: \_\_\_\_\_  
Filed: Herewith or Issued.: \_\_\_\_\_  
Title: SYSTEM AND METHOD OF SERVING COMMUNITIES OF INTEREST

(Atty. Dkt.  
053403/272572  
M# / Client Ref.

SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(d) and 1.27 (c)) - **SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:  
NAME OF CONCERN LongBoard, Inc.  
ADDRESS OF CONCERN 3121 Jay Street, Santa Clara, California 95054

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.21.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: System and Method of Serving Communities of Interest by inventor(s) Greg Donnelly, Bill Leslie and Tim Ward described in

- x → ☒ the specification filed herewith,  
one → ☐ Application No. 0 / /, filed  
box → ☐ Patent No.    , issued

If the rights held by the above identified small business concern are not exclusive, each small entity individual, concern or organization having rights to the invention is listed in (A) and (B) below and no rights to the invention are held by any person, other than the inventor, who could not qualify under 37 CFR 1.9(c) as an independent inventor if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

- (A) FULL NAME of assignee/licensee/grantee/conveyee\* LongBoard, Inc.  
ADDRESS 3121 Jay Street, Santa Clara, California 95054  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION
- (B) FULL NAME of assignee/licensee/grantee/conveyee\*  
ADDRESS  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

\*NOTE Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her status as a small entity (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b))

NAME OF PERSON SIGNING Rich Naslund  
TITLE OF PERSON OTHER THAN OWNER Chief Financial Officer  
ADDRESS OF PERSON SIGNING 3121 Jay Street, Santa Clara, California 95054

SIGNATURE

DATE

9/6/01